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Caution: How Reconciliation Can Sabotage Your Divorce



By Brette Sember

For many people who are separated or divorcing, the idea of getting back together is a goal. Unfortunately, many couples who reconcile eventually find themselves separated and on the road to divorce again. If your reconciliation doesn't work out, it can be more than just a personal disappointment—it can impact your divorce proceedings as well.

Restarting the Clock

Depending on the type of divorce you're pursuing and your state laws, you may need to be separated for a certain number of months before you can proceed with your divorce. Getting back together with your ex resets that clock and you'll have to wait the full time period from the end of your second break up. "Getting back together" has different meanings in different states—it can mean living together or just having sex together, so be clear on the dos and don'ts in your state by checking with your attorney.

Paper Trail

Divorce cases have precise timelines that have to be followed when it comes to filing paperwork. If you miss a deadline, your case can be dismissed. If you attempt to reconcile, it's natural that you'll want to put the divorce case on hold, but don't just ignore deadlines in your case. Instead talk to your attorney about getting the case legally put on hold, so you preserve everything you've done (and all the legal work and filing fees you've paid for). If your reconciliation works out, you can withdraw the case completely in the future. If it doesn't, you can pick the case up where you left off.

Living Together as Acceptance

If you and your spouse continue to live together in the same house, even if you're not having sex and are no longer romantically involved, this can have repercussions on your case as well. Continuing to cohabit with your spouse can mean you are giving tacit consent to his or her actions or lifestyle. For example, if your spouse smokes pot in front of your children in the home and you do nothing, it will be difficult for you to use that as a reason why you should have custody of the children, since you allowed it to happen under your nose.

Reconciliation and Custody

If you have a temporary order (or permanent order) of custody and visitation and then you all live together again, you open the door for a change in that order if your reconciliation is unsuccessful. Because you change the living arrangements and essentially do away with that order, another break up creates a new situation, particularly if the circumstances after the break up are different from how they were prior to the reconciliation (if, for example one of you moves in with a new partner, or moves to a new place).

Give Your Reconciliation a Chance

If you are going to try to reconcile, improve your chances by seeing a marriage therapist or counselor. It's very difficult to solve problems of this magnitude on your own, and a counselor can help you isolate the problems in your relationship that led to the break up and help you find solutions for them.

Brette Sember is a former family law attorney and mediator and author of [The Divorce Organizer & Planner](#), [The Complete Divorce Handbook: A Practical Guide](#), and [How to Parent with Your Ex: Working Together for Your Child's Best Interest](#).

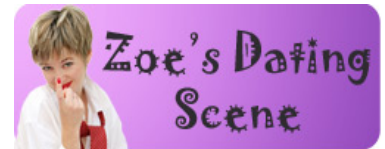
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